



# Montana Fish, Wildlife & Parks

1400 South 19<sup>th</sup> Avenue  
Bozeman MT 59718

20 May 2003

To: Governor's Office, Todd O'Hair, State Capitol, Room 204, P.O. Box 200801, Helena, MT 59620-0801  
Environmental Quality Council, State Capitol, Room 106, P.O. Box 201704, Helena, MT 59620-1704  
Dept. of Environmental Quality, Metcalf Building, P.O. Box 200901, Helena, MT 59620-0901  
Montana Fish, Wildlife & Parks:

Director's Office

Parks Division

Lands Section

FWP Commissioners

Fisheries Division

Legal Unit

Wildlife Division

Design & Construction

MT Historical Society, State Historic Preservation Office, P.O. Box 201202, Helena, MT 59620-1202

MT State Parks Association, P.O. Box 699, Billings, MT 59103

MT State Library, 1515 E. Sixth Ave., P.O. Box 201800, Helena, MT 59620

James Jensen, Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624

Janet Ellis, Montana Audubon Council, P.O. Box 595, Helena, MT 59624

George Ochenski, P.O. Box 689, Helena, MT 59624

Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771

Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624

Wayne Hurst, P.O. Box 728, Libby, MT 59923

Bob Raney, 112 S. 6<sup>th</sup> St., Livingston, MT 59047

Ladies and Gentlemen:

Attached is the decision notice for the Emigrant West Fishing Access Site (FAS) Boundary Relocation Environmental Assessment (EA). No public comments on this proposal were received.

It is my decision to proceed with the proposed boundary realignment/land exchange at the Emigrant West Fishing Access Site. This action will implement an exchange of 0.643 acres (highway frontage) of same-value private land, with the adjacent landowner. Further details are listed in the Decision Notice.

Questions regarding this decision notice should be directed to me at Montana Fish, Wildlife & Parks, Region Three, 1400 South 19<sup>th</sup> Avenue, Bozeman, MT 59718, (406) 994-4042, or at [pflowers@montana.edu](mailto:pflowers@montana.edu).

Thank you for your interest.

Sincerely,

Partick J. Flowers  
Region Three Supervisor

*Park  
Mist.*

**EMIGRANT WEST FISHING ACCESS SITE BOUNDARY RELOCATION  
ENVIRONMENTAL ASSESSMENT  
DECISION NOTICE**

**Montana Fish, Wildlife & Parks  
Region Three, Bozeman  
May 20, 2003**

**Proposed Action**

FWP proposes to exchange ownership of 0.643 acres of land in Lot 2 of the Whitetail Meadows subdivision bordering U.S. Highway 89 South near Emigrant, Montana for 0.403 privately owned acres in Lot 1 bordering the Yellowstone River and adjoining property owned by the Montana Department of Transportation. The size of each property to be exchanged was determined by real estate assessment of equivalent values given the minimum-size property in Lot 2 that was sufficient to satisfy the private landowner's desire to provide highway access to his commercial property from U.S. Highway 89 South. FWP already allowed a temporary road to be built on the Lot 2 property during highway construction to widen U.S. Highway 89 South in 2002 in exchange for public access and parking at the Emigrant West FAS. This temporary road project was the subject of an earlier Environmental Assessment completed October 22, 2002.

The new lot boundaries would consolidate public ownership from Murphy Lane through the Emigrant West FAS (Figure 2). FWP would also retain a roadway easement in the 0.643 acres of Lot 2 to provide public recreational access to the Emigrant West FAS from U.S. Highway 89 South using the highway approach already permitted by MDT (MDT # NH 11-11(37)31). The private landowner would build a public parking area in Lot 2 near U.S. Highway 89 South to accommodate FAS users.

The primary benefits of the proposed boundary relocations are consolidated public ownership at the Emigrant West FAS, and the additional ability to protect property bordering the Yellowstone River from potentially problematic development that might otherwise occur on private land. Continuous public ownership would be established from Lot 15 of the Whitetail Meadows subdivision south along the Yellowstone River to Murphy Lane.

## Montana Environmental Policy Act

Montana Fish, Wildlife & Parks (FWP) assesses impacts of its proposals to the human and natural environments. The Emigrant West Fishing Access Site (FAS) boundary relocation and its effects were disclosed in the March 24, 2003 Environmental Assessment (EA) to comply with the requirements of the Montana Environmental Policy Act (MEPA).

A 30-day comment period was open from March 25 through April 24, 2003. Public notification of the proposed action was facilitated with the distribution of legal notices printed in the Livingston Enterprise, Bozeman Daily Chronicle, and Helena Independent Record newspapers. In addition, the EA was posted on the Fish, Wildlife & Parks web page: <http://fwp.state.mt.us>.

## Summary of Public Comment

No public comments were received on the proposal.

## Final Environmental Assessment for the Emigrant West Fishing Access Site Boundary Relocation Proposal

The EA and this Decision Notice will serve as the final document.

## Decision

Based on the information in the EA, it is my decision to proceed with the proposed action, namely the boundary relocation at Emigrant West FAS as described in the EA.

Based on the analysis in the Environmental Assessment and the applicable laws, regulations, and policies, I have determined that this action will not have a significant effect on the natural or human environment. Therefore, an Environmental Impact Statement will not be prepared.

If you have questions regarding this decision notice, please contact Pat Flowers, Region Three Supervisor at (406) 994-4042, 1400 S. 19<sup>th</sup> Avenue, Bozeman, MT 59718, or at [pflowers@montana.edu](mailto:pflowers@montana.edu).



Patrick J. Flowers  
Region Three Supervisor